

Allen Remains Firm as a Rock

Motorman Who Claims to Have Recognized Mortensen on the Railway Track Could Not Be Shaken in His Positiveness and Withstood Further Rigid Cross-Examination By Mr. Stewart—Warm in Crowded Court Room.

STATE MAY REST CASE BY TOMORROW NIGHT.

The prosecution in the Mortensen-Hay murder case seems to be drawing to a close sooner than was originally anticipated. To the "News" this afternoon Dist. Atty. Elchorn said he thought the state would rest its case tomorrow evening, and that the defense would begin the morning following.

When the trial of Peter Mortensen, under a charge of murder in the first degree, was resumed this morning, the court room of the criminal division of the Third district court was well filled with spectators. The proceedings were taken up where they were left on Friday evening, with John Allen, the street car motorman, in the witness box under cross-examination by Mr. C. B. Stewart. Mr. Allen had with him this morning his memorandum book in which he makes daily entries of the number of hours he works, and turning to the account of last December he said that he had worked seven days in that month on the Calder's Park line. In his entries of days upon which he had worked Mr. Allen had written the names of the men for whom he had acted as substitute.

Mr. Stewart asked the same or similar questions to those asked on Friday afternoon. They were then asked what seemed to be scores of times and the performance was repeated today. In the main, however, the witness adhered to his former testimony. Before 10:30 the courtroom was crowded and the warm weather made the use of fans necessary.

In an endeavor to get witness to say that he had while making a trip from Calder's park, stated to a fellow workman that he was not sure who the man was that he saw on the track on Monday night, Mr. Stewart turned up against a wall. Mr. Allen turned to his book and said:

"I told of that day."

With reference to other dates Mr. Allen was just positive that he had not seen the man to whom he was asked to refer. Mr. Stewart asked witness if he had seen to see someone, to see Mr. Mortensen, but he said he was not sure who the man was to whom he was asked to refer. Mr. Stewart asked witness if he had seen to see someone, to see Mr. Mortensen, but he said he was not sure who the man was to whom he was asked to refer.

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SHRINERS ARRIVE IN SAN FRANCISCO.

San Francisco, June 9.—Special trains bearing Shriners, their families and friends are arriving hourly. Over 1,500

sleeping cars, two dining cars and one baggage car made up the train. There were 218 members in the party, the greater part of them being from cities of New York, Connecticut, Massachusetts, Rhode Island, New Jersey and Pennsylvania were also represented. The train was known as the "Mecca Imperial special." On other trains 155 members, Damascus and Ismailia of Buffalo sent 104; Elzagal of Fargo, N. D., is represented by 25 members; Moila of St. Joseph, Abdullah of Leavenworth and Za Gazig of Des Moines sent a party of 115 members; Moolah of St. Louis came in with 125 members. Al Koran of Cleveland sent 113 members and Acra temple of Richmond joined the host with 50 members.

Imperial Potentate Phillip Shaffer has arrived with Mrs. Shaffer and family. He was accompanied by Past Imperial Potentate Wm. B. Ellis of Cincinnati and Lou B. Windsor of Grand Rapids, Michigan.

LIGHTNING STRIKES A CHURCH.

At Time Graduating Exercises at High School Were Being Held.

St. Joseph, Mo., June 9.—During the graduating exercises of Odell, Neb. high school, at the first Methodist church, lightning struck the edifice, demolishing a tower and rendering several spectators and graduates unconscious. The building was soon after and the lives of many people were in peril.

Fort Monroe Hotels Must Move.

Washington, June 9.—The secretary of war has notified the owners of the Hyattsville hotel and other private establishments on the military reservation at Fort Monroe, Va., that the land occupied by them is urgently needed for military purposes and their buildings and contents must be removed within a "reasonable time."

To Be Major-Generals.

Washington, June 9.—The president today sent the following nominations to the senate: Army—Brig.-Gen. John C. Bates and George W. Davis to be major generals.

Tornado Causes Death of Two Men.

Columbus, Ga., June 9.—A heavy wind and thunder storm passed over this city last night, causing the death of two men, perhaps fatal injury of a third, and did considerable damage to property.

SECOND ASCENT OF THE SOUFIERE.

Kingston, St. Vincent, Saturday, June 7.—During the great eruption of Mont Pelee, island of Martinique, yesterday morning, the detonations were heard in the neighboring islands and heavy clouds of smoke issued simultaneously from Soufriere volcano on this island, which alarmed the inhabitants.

Boers Surrendering Rifles.

London, June 9.—Lord Kitchener in a dispatch from Pretoria, under today's date announced the surrender on Saturday and Sunday of 2,500 rifles of 444 men handed in by Cape Colony rebels. The remainder were principally from Gen. Dewet's men. The British commander adds that the cheers given by the Boers for King Edward were hearty.

Amalgamated Meeting Adjourned.

New York, June 9.—The meeting of the directors of the Amalgamated Copper company in Jersey City, called for today, was adjourned without day, there being no quorum present.

Prisoners Kill Three Guards.

Two of Most Desperate Men in Oregon Penitentiary by Some Means Secure Rifles and Make Their Escape—Are Located and Probably Will Be Killed.

Salem, Ore., June 9.—Two desperate prisoners, Harry Tracy, sentenced to 20 years, and David Merrill, a 13-year man, both serving sentences for assault and robbery from Multnomah county, made an outbreak from the penitentiary this morning, after killing three guards, Frank Ferrell, shop guard, S. R. Jones and Ben Tiffany, fence men.

WHO DESPERADOES ARE.

Portland, Ore., June 9.—Harry Tracy was arrested in Portland on the evening of Feb. 6, 1899, after an exciting battle with Detective David Weiner. Tracy, who was wanted for burglary, was walking along the street when Detective Weiner met him. The two walked along the street together and when they reached the corner of Fourth and Market streets, Tracy seeing the approaching police, started to run. The neighborhood had been thoroughly aroused, and after half a dozen shots had been fired at the fugitive, one of which took effect behind his ear, he was lodged in jail. A month afterward, while being taken from jail to the courtroom, he suddenly drew a revolver and exchanged several shots with the jailer, but was finally overpowered.

Date Merrill was arrested on Sunday, Feb. 5, 1899, in a house where he had cashed a large quantity of plunder. Merrill, who had committed numerous robberies with Tracy, gave information which led to the location of the latter.

BAT MASTERSON DISCHARGED.

He, J. E. Sanders, Leopold Frank and James Sullivan, Arrested On Charge of Swindling G. A. Snow by Means of "Brace" Game of Faro, Re-arrested and Discharged.

New York, June 9.—William (Bat) Masterston, J. E. Sanders, Leopold Frank and James C. Sullivan, who were arrested Friday night on the charge of having swindled George A. Snow by means of a "brace" game of faro, and were held on an affidavit made out by the detectives charging with a misdemeanor in having possession of a gambling paraphernalia, were arranged to be released on \$10,000 bail. Masterston was fined \$10 for carrying a concealed weapon.

COMING BACK AT UTAH MAN.

"Bat" Masterston, the Notorious Gambler Suing George A. Snow For Ten Thousand Dollars—Says He is a "Squealer" And That He Proposes to Get Even.

(Special to the "News.") New York, June 9.—Process servers were looking for George A. Snow of Utah, a guest in the Waldorf-Astoria, and the man who caused the arrest of "Bat Masterston" and two others on a charge that they robbed him of \$19,000 in a "brace" game of faro in Chicago. As papers in the civil suit for \$10,000 damages brought by Masterston could not be served legally on Sunday the process servers were simply trying to "get a line" on Mr. Snow. Capt. Titus said yesterday that George A. Snow of Salt Lake City would appear today in the central court against "Bat" Masterston, J. E. Sanders, James Sullivan and A. P. Frank, the men who are accused of getting \$28,000 from him in a crooked faro game.

A "News" reporter found Snow at the Waldorf-Astoria. He said that he had no intention of making a complaint against anybody, and that he had never seen Masterston until he met him at police headquarters on Friday.

"It is true that you were swindled out of \$28,000," was asked of Mr. Snow. "I was requested to do a favor as a matter of friendship, and I got the worst of it," said Snow. "I was willing to expose a pack of crooked gamblers in the interest of public justice, but to read the papers you'd think I was the culprit."

A Herald special of this morning carried Masterston's saying about Snow:

"This Snow is a sucker for fair. I've got his record from a Salt Lake who is stopping at the Vendome. He told me Snow is a big business man who makes his headquarters at the Grand Pacific hotel, Chicago. He's here organizing an implement manufacturing combine. He has a son 16 years old and is about 40 years old himself. He's no sport. When we met him at the police headquarters he was tickled to death to see us pulled in. He's a sucker all right and was lucky to get trimmed out of \$28,000. I'll rim him of \$10,000 more or eat my hat."

THERMOMETER AT 94 DEGREES, SMASHING ALL EARLY JUNE RECORDS.

Today is not only the hottest in the year, but the hottest of any day in the first decade (ten days) for the month of June in the local meteorological record. At 3 p. m., today the mercury registered 94 degrees and was still climbing, with the promise of reaching half a degree higher anyway, and perhaps to 95 degrees. The next hottest June day on record, was June 2, 1881, when the mercury rose to 92.

THE WEST-POINT CENTENNIAL.

West Point, N. Y., June 9.—The centennial anniversary exercises of the United States military academy began today and will continue until Thursday when the present first class class, 54 members, will be graduated. The committee of officers to receive the visiting graduates were kept busy. Among the early arrivals were Gen. Jos. Breckinridge, John Saunders and John Moon and Col. John M. Carson and Asa Bird Gardner. Gen. Henry C. Corbin, Gen. James Longstreet, Capt. Corbin, Gen. of the naval war college; Gen. Bates, commanding department of Missouri; Gen. Greeley, chief of signal corps; Quartermaster-General Ludington.

Following are on retired list: Gen. Sikes, Gen. Bell, Gen. Carpenter, Daguer, Orison, Hawkins, Mills, Patterson and Sternberg.

The first and second classes of cadets demonstrated to the board of visitors today the manner of pontoon and spar bridge building.

Collision on Colorado & Southern. Denver, Colo., June 9.—Four men were injured today in a head-on collision on the South Park branch of the Colorado & Southern railroad, two miles north of Valverde, between the fisherman's train returning from Patte canyon and

the westbound passenger train. The injured were: Samuel Lovely, engineer on the fish train; internal injuries and shoulder wrenched. M. Elliot, fireman on westbound train, ankle dislocated and arm injured. Al Latham, engineer on westbound train, leg bruised.

English Polo Team Wins.

Hurlingham, Eng., June 9.—In the polo tournament the English team scored their first goal in the first 10 minutes. The Americans scored a goal in the first half of the second period. England won by 9 goals to 1.

Burned Himself Up.

Bay City, Mich., June 9.—After saturating his clothing with kerosene oil, Jos. Rejch set fire to himself in the Catholic church at Fisherville. His charred remains were discovered in front of the altar Saturday. Holes had been burned through the floor by his blazing body. Rejch, who was 35 years of age, was the organist of the church in the first half of the second period. It is supposed he was temporarily insane.

Best Eastward Record.

Plymouth, Eng., June 9.—The North German Lloyd steamer Kron Prinz Wilhelm, Capt. Richter, which sailed from New York, June 7, for Hamburg and Bremen, via this port, arrived here this morning after a passage of 5 days, 11 hours and 32 minutes to Edgemoor light at an average speed of 23.53 knots per hour, which is the best eastward record for steamships thus far made across the Atlantic.

SENATE.

Washington, June 9.—Soon after the senate convened today a report was made from the committee on Indian affairs of the investigation made by that committee of the conduct of W. A. Jones, commissioner of Indian affairs, with respect to the leasing of certain Indian lands of the Standing Rock reservation, S. D. The committee reported that there were no foundations for the charges made against the conduct of Commissioner Jones, was entirely unselfish. The report was agreed to.

HOUSE.

Washington, June 9.—When the house met today the pending question was on the motion of Mr. DeArmond of Missouri to suspend the anti-anarchy bill with instructions to strike out section three, which made the killing of foreign ambassadors and ministers punishable with death, and section 15, which creates the offense of conspiracy in all prosecutions under the act that the officers to be protected by its provisions are engaged in the performance of their official duty at the time the offense is committed. The roll was called. The motion was lost, 70 to 121. The vote was then taken upon the passage of the bill, Mr. Lanham of Texas, demanding 60 yeas and noes.

HAD NINE LIVES.

Horse Knocks Bicyclist Off Bicycle Then Rolls on Him.

There was an accident on East Temple street near the Kenyon at 9 o'clock this morning which fairly fairly raised the hair of those who witnessed it. "Don," a 14-year-old boy at the Kenyon was riding down the street on a bicycle when he was run into by a horse driven by an expressman named Henderson. When the animal struck the boy both fell with the horse on top of them. The horse was called over by the boy and rolled completely over by the horse as it slid along the pavement. Then with a plunge the animal regained its feet and attempted to run away down the street. During the process the four wheels of the wagon passed on either side of the inert body. No time was lost in picking up the apparently dead boy. The boy and carrying him into Smith's drug store. Dr. Wither, who witnessed the accident, proceeded to examine the subject and to his great surprise there was not a bone broken, although he was covered by a mass of bruises as far as his back and legs were concerned. After resting in the drug store for some time Don jumped off, stating that he was going home to his home. "It was one of the most miraculous escapes that has come under my notice," said Dr. Wither afterwards. "How he ever got off as easily as he did is more than I can say, but he will be pretty sore for a week to come."

GRAND JURY EMpaneled.

Investigating the Murder of Ex-Sheriff Strong—Frank Connors Accused.

(Special to the "News.") Provo, June 9.—The grand jury was empaneled today and given the usual instructions by Judge Booth. The jury is now investigating the case of Frank Connors, the young man who is accused of being the murderer of William Strong, the ex-sheriff of this county. The case is being heard in a special session of the court on the evening of June 27, was shot down by one of a band of ruffians. Connors has been serving a term in jail on the charge of housebreaking and now he will have to answer to the grand jury on the charge of murder.

DISTRICT ATTORNEY BUSY.

Mr. Lippman States He Has Not Yet Decided Upon a Deputy.

United States Dist. Atty. Lippman was at his desk this morning busily engaged in the discharge of the functions of his new office. Mr. Lippman states that he has not yet decided upon a deputy, but the general understanding is that the plum will be handed to D. N. Straup, one of the members of the firm with which Mr. Lippman is associated.

Miners' Strike Getting Serious.

Tightening Up Process Continues—All Classes of Trades Unions Taking a Hand in Helping the Strikers—Railroad Men Refuse to Handle Trains Carrying Deputies—Women Attack Supt. Kudlick on Streets of Freeland.

Wilkesbarre, Pa., June 9.—The "tightening up" process which has been in progress since the anthracite coal strike began four weeks ago today continues. All classes of trades unions in the hard coal belt have taken a hand in helping the miners, and now the long predicted move of the railroad men in the region has been made. The decision of these men at the meetings held yesterday to refuse to aid the companies in their fight against the miners has encouraged the strikers greatly.

WOMEN ATTACK A SUPERINTENDENT.

Hazleton, Pa., June 9.—Supt. Kudlick of Cox's Brothers was attacked by women on the streets of Freeland today, but was not injured. About 300 strikers gathered today at Freeland and about 1,000 at Jeddito to intercept traction cars carrying non-union men to north side collieries. Sheriff Jacobs was notified last night of the strikers' intention and accompanied by eight special officers, went to Freeland to prevent any demonstration. Dist. Supt. Gallagher preceded Sheriff Jacobs and persuaded the men to return to their homes.

REFUSED TO OBEY STRIKE ORDERS

Five Thousand Miners in Virginia and West Virginia Go to Work—President Mitchell Goes to Meet Commissioner Wright—Latter is Non-Committal.

Middlesboro, Ky., June 9.—About 5,000 miners and coke workers in Buchanan county, West Virginia, and in Wise and Scott counties, Virginia, refused to obey strike orders and are at work.

MITCHELL TO MEET WRIGHT.

Wilkesbarre, Pa., June 9.—President Mitchell left here at 11 o'clock today for New York, where he will meet Carroll D. Wright, United States commissioner of labor, this evening. He expects to return to this city tomorrow. Mr. Mitchell went to New York at the request of Mr. Wright. Mr. Wright, it is believed, will directly represent President Roosevelt. Mr. Mitchell said before leaving that he did not know what Mr. Wright wanted to see him for. It is not believed that the president or the commissioner of labor will interfere because they have no authority to do anything more than to investigate the causes of the strike.

PRICE "FAKE MARRAGE" LEGAL.

Judge Johnson Decides That Clara Mathis and Owen M. Chesterfield, Alias Fuller, Were Duly Wedded by Mr. Nixon According to Law.

(Special to the "News.") Price, Utah, June 9.—Judge Johnson opened the May term of the district court here today and proceeded at once to the disposal of the case brought by Clara Mathis against Owen M. Chesterfield (Fuller) for annulment of marriage. This is the famous "fake" marriage of which so much has been said, County Clerk Donaldson, who issued the license and Mr. Nixon, who officiated at the ceremony, were this morning brought into court as witnesses. The clerk had been given to understand that the license was wanted in good faith and warned them against any foolishness, witness was present at the ceremony which appeared in every legal newspaper and was intended to marry the couple and did it by virtue of being a Seventy in the Church of Jesus Christ of Latter-day Saints, and in good faith, at the conclusion of the ceremony, the groom said to Nixon if they were now husband and wife and received the reply, "If you are not you never will be by me." Mr. Chesterfield thereupon declared that the license was in fact secured in proper form and refused to give it up afterwards saying he had destroyed it. The testimony this morning as also that given by the parties themselves, the nature of the case being in proper form and refused to give it up afterwards saying he had destroyed it. The testimony this morning as also that given by the parties themselves, the nature of the case being in proper form and refused to give it up afterwards saying he had destroyed it.

ONE BURNED TO DEATH AND MANY MISSING.

Saratoga, N. Y., June 9.—One person was killed, one fatally injured, two others severely hurt and a number are reported missing as the result of a fire here early today. The property destroyed was valued at \$250,000, with estimated insurance of \$175,000.

THE DEAD.

Fire Chief Chadwick, burned about head, fatally, it is feared.

THE MISSING.

Mrs. Owens. Mrs. M. C. Hart. Mrs. Allen. David Howland and wife. Mrs. Morris. Miss Norris and Miss Lila Foster. Mrs. Mable, who was burned to death, was asleep in her apartments in the Arcade.

Cattle King Geo. Wright Dead.

Covelo, Cal., June 9.—George E. Wright, the cattle king of Round valley, one of the most widely known chieftains in northern California, died this morning at his home here. He was possessed of great wealth and exercised much influence in this part of the state. He was involved in many lawsuits, chiefly over property rights, and for a